

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 1509 – SB 1774**

February 8, 2016

**SUMMARY OF ORIGINAL BILL:** Requires court clerks of circuit/criminal courts and general sessions courts to report final disposition of criminal proceedings to the Tennessee Bureau of Investigation (TBI) as soon as practicable, but not later than 15 days after final disposition.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures – \$12,900/One-Time

Increase Local Expenditures – \$200,000/Recurring\*

**SUMMARY OF AMENDMENT (011653):** Deletes the language “no later than fifteen (15) days” wherever it appears in the bill and replaces it with new language indicating “no later than thirty (30) days.”

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**NOT SIGNIFICANT**

Assumptions for the bill as amended:

- Tennessee Code Annotated § 8-4-115(a)(1)(C) requires a law enforcement agency to report criminal proceedings to the TBI, but the law enforcement agency may enter into an agreement with the court clerk for the clerk to report through an automated process.
- The Administrative Office of the Courts (AOC) maintains the Tennessee Court Information System (TnCIS).
- Court clerks are authorized to use TnCIS, but are not required to use it.
- Currently, 82 of the 95 court clerks in Tennessee use TnCIS, but only 33 clerks, or approximately 61 circuit/criminal and general sessions courts, use it to report information on criminal proceedings.
- TnCIS submits data every night, and the TBI can access it as needed. These court clerks would be in compliance with the provisions of the bill as amended.

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- The remaining court clerks, as well as court clerks not using TnCIS, would have to comply with the 30-day deadline for reporting this information.
- It is assumed that the court clerks not reporting through TnCIS can meet the 30-day deadline within their existing resources.
- The court clerks confirm that they can meet the 30-day deadline within their existing resources.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm